REMARKS

Status of Claims:

Claims 1-16 remain for examination.

Acknowledgement of Priority Document:

The examiner checked boxes 12)a) in the form PTOL-3265. It appears that the examiner should have also checked box 1.) since applicant filed the certified copy of the Japanese priority document. Correction is requested.

Prior Art Rejections:

Claims 1-3, 6-7, 10-11 and 13-14 stand rejected under 35 U.S.C. § 103 as obvious over AAPA in view of Kaku and Watanabe. The examiner recognizes that neither AAPA nor Kaku disclose dividing the data profile into a plurality of data blocks and searching the maximum value of the delay profile at every data block. For this teaching the examiner points to Watanabe and cites the abstract, Figs. 1, 5 elements 3 and 8 of Fig. 2, column 4, ones 5-18; 44-57; column 3, lines 35-67; column 4, lines 19-40 and lines 1-31.

The examiner's rejections are respectfully traversed.

Watanabe discloses dividing the search window into N portions and assigning these N portion to the 1 to N search correlators 3. These N correlators find correlative values using a short integration time for all phases within the divided windows and output the correlative values to the search control section 8. See column 4, lines 9-17. As a result, the correlative values within the entire search window are produced as shown in Fig. 2. Since a short integration time was used in order to shorten the search itself, the correlative values so produced do not suppress interference or noise sufficiently nor do they achieve the accuracty needed to carry out cell judgment. (Column 4, lines 18-23.) The control section 8 rearranges the correlative values in order of electric power and selects multiple phases starting with the one with the maximum power and assigns the selected phases equally to the 1st to Nth correlators. After this assignment, a longer integration time is used, and the 1st to Nth

correlators, using the longer integration time, generate correlative values with the needed accuracy to carry out cell judgment on the specified phases. (Column 4, lines 27-31).

Watanabe goes on to explain:

> Search control section 8 further rearranges the correlative values obtained in the order of electrical power and selects correlative values by the number of demodulable phases from the top and combines these selected correlative values to obtain the strength of the pilot channel of this base station apparatus. The number of demodulable phases depends on the number of multi-paths that can be combined by demodulation correlator 4 and RAKE combining section 5.
>
> The operation above is repeated by the number of base stations notified to measure the strength of the pilot channels of all peripheral base station apparatuses received from the base station apparatus with which it is communicating.
>
> As shown above, dividing the search window into portions, assigning them to multiple correlators, obtaining correlative values for all phases within the search window, and judging the maximum value eliminate the necessity of setting thresholds, etc., allowing a high-speed cell search. (Column 4, lines 32-49).

It may be seen from the above that Watanabe does NOT teach "keeping the maximum value at every data block to detect the peak from the maximum values searched from the respective data blocks." The keeping of the maximum value is different from merely searching or finding the maximum value which is taught in Watanabe. As explained in applicant's specification:

> In the multi-path detection circuit 600 according to the first embodiment of this invention, each peak value is stored or preserved at every one of the memory block. With this structure, it is possible to reduce the processing steps (the above repetition times) of retrieving the second and the following peaks and to decrease current consumption. (Emphasis added).

(Applicant's specification, page 22, lines 17-22).

Thus, when the second iteration for finding the peak is carried out, it is not necessary to again find the maximum values of each peak within each of the data blocks. This may be readily seen in relation, for example, to applicant's claim 2 which recites:

> subsequently detecting a following peak after the peak is previously detected as a previous peak.

In order to made these points of distinction more clear, applicant has amended independent claim 1 to recite "storing" each maximum value. While "storing" and the original language of "keeping" are deemed to have the same meaning within the context of the claim, it is submitted that the language "storing" is more a more conventional usage. Claim 2 has been amended to make it clear that the subsequent detection of the following peaks is done utilizing the stored maximum values in keeping with applicant's comments set forth above.

Applicant's independent claim 6 already recites "a delay profile memory for storing the respective data blocks" and is thus deemed to be consonant with the arguments set forth above with respect to claim 1.

Applicant's independent claim 10 recites: "a peak preservation portion for successively preserving the first result of the search" and is thus likewise deemed to be consonant with the above discussed limitation in connection with claim 1.

Applicant's sole remaining independent claim 13 has been amended to include the recitation: "means for storing the maximum values for each of the data blocks", and is thus also deemed to be consonant with the arguments set forth above with respect to claim 1.

Applicant submits that all independent claim already distinguish or have been amended to distinguish applicant's invention from the applied prior art. In particular, neither Watanabe nor the other prior art reference applied by the examiner disclose the storing of the maximum values as claimed by applicant and thus it is thus submitted that the PTO has not made out a *prima facie* case of obviousness under the provisions of 35 U.S.C. § 103. As such, all of applicants claims are patentable over the prior art.

Applicant's dependent claims are deemed patentable at least by virtue of their dependency.

Object To Claims:

Applicant recognizes that claims 4, 5, 8, 9 12, 15, and 16 are deemed to contain allowable subject matter. However, in view of the arguments set forth above it is submitted that all of applicant's claims are patentable over the prior art.

Conclusions:

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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By 

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